



**Minutes of a Meeting of the
Tennessee Board of Architectural and Engineering Examiners
Andrew Johnson Tower
Nashville, Tennessee**

December 5, 2012

Call to Order

A regular meeting of the Tennessee Board of Architectural and Engineering Examiners was held in the Andrew Johnson Tower in Nashville, TN on December 5, 2012. The meeting convened at 1:00 p.m., Chair Philip Lim presiding. A quorum was declared present.

Members in attendance

Susan Ballard, Registered Interior Designer
Hal Balthrop, Professional Engineer
Wilson Borden, Public Member
Robert Campbell, Jr., Professional Engineer
Jerome Headley, Registered Architect
Philip Lim, Professional Engineer
Bill Lockwood, Registered Landscape Architect
Frank Wagster, Registered Architect

Member absent

Rick Thompson, Registered Architect

Associate members in attendance

Richard Bursi, Professional Engineer
Alton Hethcoat, Professional Engineer
Stephen King, Professional Engineer

Staff in attendance:

Rob Herndon, Legal Counsel
John Cothron, Executive Director
Wanda Phillips, Office Manager
Wanda Garner, Administrative Assistant

Guests in attendance for all or part of the meeting:

Candy Toler, Tennessee Society of Professional Engineers/American Council of
Engineering Companies of Tennessee (TSPE/ACEC-TN)
Connie Wallace, American Institute of Architects Tennessee (AIA-TN)
Don Baltimore, Tennessee Interior Design Coalition (TIDC)
Gary West, Assistant Commissioner, Division of Fire Prevention

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Gary Farley, Director, Division of Fire Prevention, Contract Inspection Services Section
Joe Underwood, Chief Counsel for Fire Prevention and Law Enforcement
Bill Giannini, Assistant Commissioner, Regulatory Boards Division
James and Stephanie Hastings

Frank Wagster was introduced as the newly appointed architect member of the Board who is replacing David Schuermann.

Motion was made by Mr. Lockwood and seconded to approve the agenda. Motion carried.

PRESENTATION OF EMERITUS CERTIFICATE TO JAMES HASTINGS

Mr. Lim presented an emeritus certificate to James Hastings, who served on the Board as an architect member from January 9, 2004, to September 17, 2012.

CONSENT AGENDA (attached)

1. Motion was made by Mr. Lockwood and seconded to approve the minutes of the October 12, 2012 meeting. Motion carried.
2. Motion was made by Mr. Lockwood and seconded to approve the Complaints for Board Decision. Motion carried.

PERSONAL APPEARANCE by Gary West, Assistant Commissioner, Division of Fire Prevention; Gary Farley, Director, Contract Inspection Services Section and Joe Underwood, Chief Counsel for Fire Prevention and Law Enforcement

re: Marina Design

Mr. West stated that his division has met with representatives from the US Army Corps of Engineers, Tennessee Valley Authority (TVA), the Tennessee Marina Association, Tennessee Wildlife Resources Agency (TWRA), Tennessee Department of Environment and Conservation (TDEC) and others to discuss marina safety, adherence to established codes, and regular inspections of current marinas and those being built or expanded in Tennessee. Mr. West reported that state and federal agencies are working together to find ways to make marinas safe. Board members expressed their desire for all new marinas, and additions to marinas, to be designed by registered design professionals, and they offered their support for the efforts of the State Fire Marshal's Office.

Break 2:30-2:45 p.m.

PROFESSIONAL SOCIETY REPORTS

Candy Toler, Connie Wallace, and Don Baltimore reported activities of TSPE/ACEC-TN, AIA-TN, and TIDC respectively.

DIRECTOR'S REPORT

1. Mr. Cothron reported his activities and those of his staff and Board members.
2. *Licensing Data* was received and placed on file. (attached)
3. *Complaint Data* was received and placed on file. (attached)
4. *Financial Data* was received and placed on file. (attached)

LEGAL CASE REPORT (attached) (presented by Robert Herndon)

Case with New Information

1. *Case # L12-AEL-RBS-2012010151* *Complaint #201201015*
Motion was made by Mr. Campbell and seconded to re-issue the Consent Order with an adjusted amount of \$150.00 and maintain the requirement to take and pass the Board's law and rules examination. Motion carried.

New Cases

1. *Case # L12-AEL-RBS-2012022721* *Complaint #201202272*
Motion was made by Mr. Borden and seconded to dismiss and close the case for lack of disciplinary grounds. Motion carried.
2. *Case # L12-AEL-RBS-2012023361* *Complaint #201202336*
Motion was made by Mr. Lockwood and seconded to dismiss the case for lack of disciplinary grounds. The motion carried.
3. *Case # L12-AEL-RBS- 2012023371* *Complaint #201202337*
Motion was made by Mr. Headley and seconded that we obtain the services of a trained structural engineer specializing in airport and runway construction to answer some concerns of the reviewing Board member. After that analysis, there needs to be an informal conference to address the professional conduct issues. Motion carried.
4. *Case # L12-AEL-RBS-2012024111* *Complaint #201202411*
Motion was made by Mr. Campbell and seconded to issue a Consent Order for a civil penalty of five hundred dollars (\$500.00) and a requirement to take and pass the law and rules examination. Motion carried.

ENGINEER COMMITTEE REPORT

The Engineer Committee, through Mr. Lim, reported that

- Board staff and deans of Tennessee colleges and universities are investigating ways to lower the cost for senior engineering students to take the Fundamentals of Engineering examination upon its conversion to a computer-based format in 2014;
- the Committee encourages licensure of college engineering professors, and
- Messrs. Balthrop, Bursi, Herndon and Cothron are authorized to attend the NCEES Southern Zone meeting in Biloxi in April 2013, and the NCEES Annual Meeting in San Antonio in August 2013. Mr. King and Mr. Campbell are designated as alternates;

- Mr. Lim and Mr. Cothron are authorized to attend the NCEES Board Presidents' Assembly in Atlanta in February 2013, and
- a plan for a Spring meeting with engineering deans of colleges and universities in Tennessee is underway.

UNFINISHED BUSINESS

1. *Action Items* (attached)

Mr. Cothron reported that the department will not pursue a legislative request next year to amend T.C.A. 62-2-504 and 62-2-804, regarding retaining exam credit. The remaining action items have been completed or are in process.

2. *Format for Continuing Education Records*

The Continuing Education Committee, through Mr. Balthrop, reported that it will submit, to the Board for approval at the February meeting, a form to be used by registrants when reporting continuing education credits for audit.

NEW BUSINESS

1. *Report on the National Council of Architectural Registration Boards Member Board Executives/Member Board Chairs Conference* (NCARB MBE/MBC) (attached)

Mr. Cothron submitted a written report on the NCARB MBE/MBC Meeting.

2. *Report on the National Council for Interior Design Qualification (NCIDQ) Annual Meeting* (attached)

Ms. Ballard submitted a written report on the NCIDQ Annual Meeting.

3. Motion was made by Mr. Campbell and seconded, to authorize Ms. Ballard to accept speaking engagements on behalf of the Board to talk about interior designer registration and to receive reimbursement of travel expenses. Motion carried. Any speaking appointment will be set up through Mr. Cothron.

4. *Correspondence from Thomas D. Hixson, P.E. regarding efforts to encourage licensure among veterans.* (attached)

Mr. Cothron will respond by noting the laws, rules and policies that are in place to assist individuals serving on active duty in the armed forces, and encouraging veterans to pursue experience under the supervision of a registered PE.

On motion of Mr. Balthrop the Board of Architectural and Engineering Examiners adjourned at 4:30 p.m.

The next Board meeting will be at 1:00 p.m. on February 13, 2013 in the Conference Room on the 3rd Floor of the Andrew Johnson Tower in Nashville, TN.

ATTACHMENTS

Complaints for Board Decision
Legal Case Report

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Licensing Data
Complaint Data
Financial Data
Action Items
Draft of Form for Reporting CE Records
NCARB MBE/MBC Meeting Report
NCIDQ Annual Meeting Report
Thomas D. Hixson's letter dated November 6, 2012

DRAFT